

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION OF CINCINNATI

BAOYANG CHEN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:17cv460
)	
GSC OPPORTUNITIES, L.P.;)	Judge Michael R. Barrett
GSC OPP MANAGEMENT, L.P.;)	
TERRY CHAN; GARY CHAN;)	
JACQUELYN CHAN; MASON HILL, LLC;)	
CLEARWATER HOSPITALITY)	
GROUP, LLC; BWR WESTWOOD, LLC;)	
JOHN DOE CORPORATION,)	
)	
Defendants.)	

**DEFENDANTS GSC OPPORTUNITIES, L.P. AND GSC OPP MANAGEMENT, L.P.'S
MOTION TO DISMISS PLAINTIFF'S COMPLAINT PURSUANT TO FEDERAL
RULES OF CIVIL PROCEDURE 12(b)(1) and 12(b)(6)**

NOW COME Defendants GSC Opportunities, L.P. and GSC Opp Management, L.P. (collectively "Defendants"), by and through their counsel, Mason N. Floyd and Matthew J. Ruza, and respectfully move this Court to dismiss Plaintiff's Complaint for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1) and for failure to state a claim upon which relief may be granted pursuant to Federal Rule of Civil Procedure 12(b)(6).

In support of their Motion, Defendants submit their Memorandum of Law in Support of Their Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

WHEREFORE, Defendants GSC Opportunities, L.P. and GSC Opp Management, L.P. respectfully request that Plaintiff's Complaint be dismissed with prejudice and for such other relief that this Court deems reasonable and just.

Dated: October 3, 2017

Respectfully submitted,

/s/ Mason N. Floyd

Mason N. Floyd (06282874)

Admitted *Pro Hac Vice*

/s/ Matthew J. Ruza

Matthew J. Ruza (06321424)

Admitted *Pro Hac Vice*

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